

2/23/2023

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AUTHORIZING THE ACQUISITION OF LAND IDENTIFIED AS LOT 5, BLOCK 712 CONSISTING OF APPROXIMATELY 5.01 ACRES, KNOWN AS 525 STEELE GAP ROAD FROM MARY JEAN STEMPIEN AND KATHRYN ANN HARKNETT, AS TENANTS IN COMMON (“SELLER”) FOR THE PURCHASE PRICE OF \$565,000.00 FROM THE TOWNSHIP’S OPEN SPACE TRUST FUND

WHEREAS, the Township Council of the Township of Bridgewater (“Township”) in furtherance of the Townships goal of providing open space and recreation has agreed to acquire the hereinafter described property, including the Contract of Sale, a copy of which is annexed hereto, providing for open space and recreation for the purchase price of \$565,000.00.

<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Purchase Price</u>	<u>Property Owners</u>
712	5	525 Steele Gap Road	\$565,000.00	Mary Jean Stempien and Kathryn Ann Harknett As Tenants in Common

WHEREAS, pursuant to N.J.S.A. 40A:12-5 et seq. the Township may, through authority granted by an ordinance, acquire private property for a public use through gift, purchase, or condemnation; and

WHEREAS, the Township Council has determined that the acquisition of the Property described above will advance the Township’s goals of providing adequate open space and recreational opportunities; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Bridgewater in the County of Somerset, State of New Jersey, as follows:

SECTION I. Purpose. The purpose of this ordinance is to authorize the acquisition of the Property described herein.

SECTION II. The Township of Bridgewater is empowered by N.J.S.A. 40A:12-5 et seq. to acquire lands or rights therein by purchase, gift.

SECTION III. This ordinance authorizes the acquisition by the Township of Bridgewater of the property known as **Block 712, Lot 5, consisting of approximately 5.01 acres**

SECTION IV. The Township, therefore, hereby confirms that the Property acquired by the Township, pursuant to the attached Agreement, is subject to Green Acres restrictions as provide by N.J.S.A. 13:8C-1 et seq and N.J.A.C. 7:36, as may be amended and supplemented, and the Township agrees to accept the Property with the Green Acres restrictions, including restrictions against disposal or diversion to a use for other than recreation and conservation purposes.

SECTION V. Pursuant to N.J.S.A. 40A:12-1 et seq. the Township Attorney of Bridgewater Township, Mayor and the Administrator are authorized and directed to undertake any actions and execute any documents necessary or appropriate to acquire the Property and the Contract for Sale of Real Estate, a copy of which is annexed hereto.

SECTION VI. Joe Sarno, Chief Financial Officer on behalf of Holman Frenia Allyson has previously provided a certification as to the availability of funds from account 15- 0000-0000-0000- 2 - 14606, Open Space Trust

SECTION VII. Should any section, paragraph, sentence or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared severable.

SECTION VIII. This ordinance shall become effective immediately upon passage and publication, according to the law and certification by the Chief Financial Officer of the availability of funds for the acquisition described herein.